

Serial No.: 10/537,536

### REMARKS

These remarks follow the order of the paragraphs of the office action. Relevant portions of the office action are shown indented and italicized.

*The following is a quotation of the second paragraph of 35 U.S.C. 112:*

*The specification shall conclude with one or more claims particularly pointing out and distinctly*

*claiming the subject matter which the applicant regards as his invention.*

*Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.*

*It is unclear in claim 1 whether the withdrawal of the flow path from the substrate surface is a result of or in response to the liquid being drawn towards at least the second chamber or the liquid being drawn towards the first and second chamber (see lines 24-25 and lines 33-34 of claim 1). Claim 1 is confusing since it is unclear whether the claimed device has "a first chamber" or "a plurality of first chambers" or whether the claimed device has "a second chamber" or "a plurality of second chambers". It is suggested that applicant at line 3 of claim 1 before "first chamber" and insert -- at least one --; at line 4 of claim 1 before "second chamber" insert -- at least one --. Claim 1 is confusing since it is unclear what a layer of "SU-8" encompasses. Claim 1 is confusing since it recites that the body (element 10) is a separate element of the device from the first and second chamber and first and second apertures yet it is clear from the specification and drawings that the first and second chamber and first and second apertures are elements defined within the structure of the body.*

*Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.*

Applicants respectfully state that claim 1 is amended to overcome the rejections under 35 U.S.C. 112, second paragraph.

Claim 1 is amended as recommended in communication received from the Examiner, except that applicants prefer not to implement the optional change at line 26.

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The Examiner is authorized to implement this amendment by Examiner's amendment.

The changes to the specification, deleting the comma in several places so that

SU-8, photoresist,

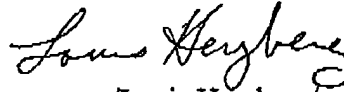
becomes

SU-8 photoresist,

need only be implemented where and if the Examiner so chooses.

Please charge any fee necessary to enter this paper to deposit account 50-0510.

Respectfully submitted,



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